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EXAMINER

GREENE, JASON M

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 07/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/790,304

Applicant(s)

MURPHY ET AL.

Examiner

Jason M. Greene

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 30-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 30-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows:

An application in which the benefits of an earlier application are desired must contain a specific reference to the prior application(s) in the first sentence of the specification or in an application data sheet (37 CFR 1.78(a)(2) and (a)(5)). The specific reference to any prior nonprovisional application must include the relationship (i.e., continuation, divisional, or continuation-in-part) between the applications except when the reference is to a prior application of a CPA assigned the same application number.

### ***Drawings***

2. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

### ***Claims***

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3. With regard to claim 4, the Examiner has interpreted the phrase "said hose" in lines 1-2 as being a hose that the communicates with the dirt separation chamber through the moveable cover. The Examiner suggests Applicants rewrite the phrase "said hose" in lines 1-2 as "a hose" to improve antecedent basis.

4. With regard to claim 35, the Examiner has interpreted the phrase "said support surface" in line 19 as being a surface for supporting the bagless vacuum cleaner. The Examiner suggests Applicants rewrite the phrase "said support surface" in line 19 as "a support surface" to improve antecedent basis.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Yung '350.

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With regard to claim 1, Yung '350 discloses a canister vacuum cleaner (10) comprising a body (20) defining a suction inlet (not numbered) and an exhaust outlet (not numbered), a suction source (14) contained in said body and located fluidically between said suction inlet and said exhaust outlet, a dirt cup (32) releasably connected to said body, said dirt cup defining a dirt separation chamber and an airstream outlet (84) that releasably mates with said suction inlet when said dirt cup is connected to said body, said dirt separation chamber conformed to impart a rotational flow pattern to an airstream passing therethrough whereby contaminants entrained in said airstream are separated therefrom and deposited in said dirt cup, and a filter (76) located in said dirt separation chamber of said dirt cup in covering relation with said airstream outlet in Figs. 1-7 and col. 3, line 3 to col. 5, line 59.

With regard to claim 7, Yung '350 discloses the filter (76) being releasably connected to the dirt cup (32) in Figs. 1-7 and col. 4, lines 27-62.

7. Claims 35 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Yung '350.

With regard to claim 35, Yung '350 discloses a bagless vacuum cleaner (10) comprising a main housing (20) defining a suction source inlet (not numbered), an exhaust outlet (not numbered), and a receiver region (not numbered) adapted to receive a dirt cup (32), a suction source (14) located

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fluidically between said suction source inlet and said exhaust outlet, a dirt cup (32) releasably coupled to said receiver region of said main housing, said dirt cup comprising, an interior wall (38) defining a dirt separation chamber, an open first end in communication with said dirt separation chamber, and an airstream outlet (84) from said dirt separation chamber, said dirt cup releasably coupled to said main housing with said airstream outlet of said dirt cup mated with said suction source inlet of said main housing, a filter assembly (76) releasably connected to said dirt cup and located in said dirt separation chamber, said filter assembly comprising a filter element located in covering relation with said airstream outlet of said dirt cup and positioned so that an annular airflow space is defined between said filter element and said interior wall of said dirt cup, and a base (lower right-most portion of 12, as viewed in Fig. 2 and 22) connected to said main housing and conformed to support said main housing and said dirt cup releasably connected to said receiver region of said main housing on said support surface in a second, non-operative position with said open first end of said dirt cup located at a select elevation relative to said dirt separation chamber to prevent spillage of associated dirt and debris contents of said dirt separation chamber from said open first end of said dirt cup in Figs. 1-7 and col. 3, line 3 to col. 5, line 59. The base is seen as being the lower right-most portion of the chassis 12 and the air inlet 22. As can be seen in Fig. 2, the vacuum cleaner is capable of being stored by rotating the vacuum cleaner clockwise until the air inlet 22 comes to rest on the associated support surface. Since the air inlet 22 and the portion of the chassis 12 in contact with the associated support surface

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will support all of the weight of the vacuum cleaner, the air inlet 22 and the portion of the chassis 12 in contact with the associated support surface is seen as forming a base.

With regard to claim 36, Yung et al. discloses the vacuum cleaner comprising a plurality of wheels (26) for supporting the main housing above the associated support surface, wherein the base is conformed to support said main housing and said dirt cup releasably to said main housing in the second, non-operative position with at least one of the plurality of wheels out of contact with the said associated support surface in Figs. 1-7 and col. 3, line 3 to col. 5, line 59. As can be seen from Fig. 2, if the vacuum cleaner is rotated clockwise (as viewed in Fig. 2) to support the vacuum cleaner on the base, both of the wheels (26) will be out of contact with the associated support surface.

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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9. Claims 2-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yung '350 in view of Meijer et al.

Yung '350 discloses a first portion (84) of the dirt cup defining said airstream outlet and a second portion (46) of the dirt cup defining an open entrance to the dirt separation chamber, wherein the canister vacuum cleaner includes a hose (22) communicating with said dirt separation chamber of said dirt cup through a hose fitting (92), wherein an outlet of said hose fitting is directed obliquely toward an interior wall (38) of said dirt cup, whereby an airstream entering said dirt separation chamber from said outlet of said hose fitting is directed obliquely at said interior wall of said dirt cup in Figs. 1-7 and col. 3, line 3 to col. 5, line 59.

Yung '350 does not disclose the body comprising a cover that is selectively located in covering relation with said open entrance of said dirt cup when said dirt cup is connected to said body, wherein said cover is pivotably connected to a main portion of said body and pivots on an arc between a first position spaced away from said open entrance of said dirt cup and a second position in covering relation with said open entrance of said dirt cup, wherein a hose communicates with said dirt separation chamber of said dirt cup through said movable cover, the canister vacuum cleaner further comprising a hose fitting connected to and extending through said cover, said hose fitting comprising an inlet conduit projecting outwardly away from said cover external to said body and an outlet conduit located adjacent said open entrance of said dirt cup when said dirt cup is connected to said housing and said cover is placed



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in covering relation with said open entrance of said dirt cup, wherein said outlet conduit of said hose fitting is directed obliquely toward an interior wall of said dirt cup when said cover is placed in covering relation with said open entrance of said dirt cup whereby an airstream entering said dirt separation chamber from said outlet conduit of said hose fitting is directed obliquely at said interior wall of said dirt cup.

Meijer et al. discloses a similar canister vacuum cleaner including a body (1) comprising a cover (41) that is selectively located in covering relation with an open entrance of a dirt cup (11) when said dirt cup is connected to said body, wherein said cover is pivotably connected to a main portion of said body and pivots on an arc between a first position spaced away from said open entrance of said dirt cup and a second position in covering relation with said open entrance of said dirt cup, wherein a hose (45) communicates with said dirt separation chamber of said dirt cup through said movable cover, the canister vacuum cleaner further comprising a hose fitting (43) connected to and extending through said cover, said hose fitting comprising an inlet conduit projecting outwardly away from said cover external to said body and an outlet conduit located adjacent said open entrance of said dirt cup when said dirt cup is connected to said housing and said cover is placed in covering relation with said open entrance of said dirt cup, wherein said outlet conduit of said hose fitting is directed toward an interior said dirt cup when said cover is placed in covering relation with said open entrance of said dirt cup in Figs. 1-3 and col. 3, line 56 to col. 8, line 20.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the moveable cover of Meijer et al. into the canister vacuum cleaner of Yung '350 to allow the upper portion of the body and the hose fitting to be pivotably displaced away from the dirt cup to facilitate removal of the dirt cup and to provide additional access to the interior of the body when the vacuum cleaner requires servicing.

10. Claims 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yung '350 in view of Meijer et al.

Yung '350 discloses a bagless canister vacuum cleaner (10) comprising a main housing (20) defining an airflow inlet (not numbered), an airflow outlet (not numbered), and a receiver region (not numbered) adapted to receive a dirt cup (32), a suction source (14) located in said housing and operational to establish and maintain an airstream that flows from said airflow inlet to said airflow outlet, a dirt cup (32) releasably coupled to said receiver region of said main housing, said dirt cup comprising, an interior wall (38) defining a dirt separation chamber conformed to impart a rotational flow path to a dirty airstream passing therethrough whereby contaminants are separated from the dirty airstream and deposited in said dirt cup, an open first end in communication with said dirt separation chamber, and an airstream outlet (84) from said dirt separation chamber, said dirt cup releasably coupled to said main housing with said airstream outlet of said dirt cup mated with said airflow inlet of said main housing, a filter assembly (76) releasably connected to said dirt cup and located

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in said dirt separation chamber, said filter assembly comprising a filter element located in covering relation with said airstream outlet of said dirt cup, and a hose (22) and a hose fitting (92) interconnected to said hose, said hose fitting comprising a first portion projecting outwardly away from the dirt cup and a second portion projecting into said dirt separation chamber adjacent said open first end of said dirt cup, said second portion directed obliquely toward said interior wall of said dirt cup defining said dirt separation chamber in Figs. 1-7 and col. 3, line 3 to col. 5, line 59.

Yung '350 does not disclose the vacuum cleaner comprising a cover connected to said housing, said cover movable between an open position, where said cover is disengaged from said dirt cup, and a closed, operative position where said cover is placed in covering relation with and blocks said open first end of said dirt cup, said cover, when located in said closed, operative position, preventing separation of said dirt cup from said main housing, or the hose fitting interconnecting the hose to the cover, said first portion of said hose fitting projecting outwardly away from said cover.

Meijer discloses a vacuum cleaner comprising a cover (41) connected to a housing (1), said cover movable between an open position, where said cover is disengaged from said dirt cup, and a closed, operative position where said cover is placed in covering relation with and blocks said open first end of said dirt cup, said cover, when located in said closed, operative position, preventing separation of a dirt cup (11) from said main housing, and a hose fitting (43) interconnecting a hose (45) to the cover, a first portion of said hose fitting

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projecting outwardly away from said cover and a second portion projecting into said dirt cup, wherein said cover includes a handle (79) to facilitate manual movement of the cover between the open and closed positions in Figs. 1-3 and col. 3, line 56 to col. 8, line 20.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the moveable cover of Meijer et al. into the canister vacuum cleaner of Yung '350 to allow the upper portion of the body and the hose fitting to be pivotably displaced away from the dirt cup to facilitate removal of the dirt cup and to provide additional access to the interior of the body when the vacuum cleaner requires servicing.

11. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yung '350 and Meijer et al. as applied to claim 30 above, and further in view of Miyake et al.

Yung '350 discloses the vacuum cleaner comprising a plurality of wheels (26) for movably supporting said main housing (20) and said dirt cup (32) on a support surface when said dirt cup is coupled to said receiver region of said main housing, wherein said dirt cup comprises a handle in Figs. 1-7 and col. 3, line 3 to col. 5, line 59.

Yung '350 and Meijer et al. do not disclose at least one of said plurality of wheels connected to the handle of said dirt cup.

Miyake et al. discloses a similar canister vacuum cleaner (120) having one of a plurality of wheel assemblies (186) connected to a dirt cup (123) in Fig. 3 and col. 6, lines 10-62.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the wheel connected to the dirt cup of Miyake into the canister vacuum cleaner of Yung '350 and Meijer et al. to provide direct support means for the dirt cup to allow the vacuum cleaner to be manufactured without the portion of the body supporting the dirt cup to reduce manufacturing costs, as suggested by Miyake et al. in Fig. 3.

Yung '350, Meijer et al., and Miyake et al. do not disclose the at least one wheel connected to the dirt cup being connected to the handle.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to shift the location of the wheel from the base of the dirt cup to the handle of the dirt cup in the shifting the location of parts without otherwise modifying the operation of the device is merely a choice of design. See *In re Japikse*, 86 USPQ 70.

12. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yung '350 in view of Reichow et al. and Watson.

Yung '350 discloses the dirt cup comprising a handle (not numbered) in Figs. 1-7 and col. 3, line 3 to col. 5, line 59.

Yung '350 does not disclose the open first end of the dirt cup defining a spout that is conformed to facilitate pouring associated dirt and debris contents

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from said dirt separation chamber of said dirt cup, and wherein said handle on said dirt cup is located opposite said spout.

Reichow et al. discloses a vacuum cleaner having a dirt cup (22) defining a pouring spout (154) in Fig. 3 and col. 5, line 38 to col. 6, line 6.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the pouring spout of Reichow et al. into the dirt cup of Yung '350 to facilitate the removal of the collected dirt from the dirt cup.

Watson teaches locating a pouring spout opposite a handle in Fig. 1 and col. 6, lines 10-12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the opposite spout and handle arrangement of Watson into the dirt cup of Yung '350 and Reichow et al. to provide for easier handling of the dirt cup while emptying the contents.

13. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yung '350 in view of Reichow et al.

Yung '350 discloses a bagless vacuum cleaner (10) comprising a body (20), and a dirt cup (32) releasably connected to and selectively separable from said body, said dirt cup comprising a handle (not numbered) in Figs. 1-7 and col. 3, line 3 to col. 5, line 59.

Yung '350 does not disclose the dirt cup a having a pour spout.

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Reichow et al. discloses a vacuum cleaner having a dirt cup (22) having a pour spout (154) in Fig. 3 and col. 5, line 38 to col. 6, line 6.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the pour spout of Reichow et al. into the dirt cup of Yung '350 to facilitate the removal of the collected dirt from the dirt cup.

14. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yung '350 and Reichow et al. as applied to claim 39 above, and further in view of Watson.

Yung '350 and Reichow et al. do not disclose the handle and pour spout being located opposite each other.

Watson teaches locating a pouring spout opposite a handle in Fig. 1 and col. 6, lines 10-12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the opposite spout and handle arrangement of Watson into the dirt cup of Yung '350 and Reichow et al. to provide for easier handling of the dirt cup while emptying the contents.

15. Claims 41 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yung '350 and Reichow et al. as applied to claim 39 above, and further in view of Shirayanagi et al.

Yung '350 and Reichow et al. do not disclose the vacuum cleaner comprising a second handle, wherein the second handle is connected to the

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body or a strap connected to said body, said strap adapted for securing said bagless vacuum cleaner to a body of a user.

Shirayanagi et al. discloses a vacuum cleaner (2) having a handle (not numbered) connected to the body and a strap (84) connected to the body, said strap adapted for securing said bagless vacuum cleaner to a body of a user in Fig. 12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the handle and strap of Shirayanagi et al. into the vacuum cleaner of Yung '350 and Reichow et al. to allow the person using the vacuum cleaner to easily transport it.

16. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yung '350 and Reichow et al. as applied to claim 39 above, and further in view of Meijer et al.

Yung '350 and Reichow et al. do not disclose the vacuum cleaner comprising a lid connected to said body and adapted for selectively covering an open end of said dirt cup, and a handle connected to the lid.

Meijer et al. discloses a vacuum cleaner comprising a lid (41) connected to said body and adapted for selectively covering an open end of a dirt cup (11), and a handle (79) connected to the lid in Figs. 1-3 and col. 3, line 56 to col. 8, line 20.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the moveable cover of Meijer et al. into the



canister vacuum cleaner of Yung '350 and Reichow et al. to allow the upper portion of the body and the hose fitting to be pivotably displaced away from the dirt cup to facilitate removal of the dirt cup and to provide additional access to the interior of the body when the vacuum cleaner requires servicing.

17. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yung '350 and Reichow et al. as applied to claim 39 above, and further in view of Miyake et al.

Yung '350 discloses the vacuum cleaner comprising a plurality of wheels (26) connected to the body in Figs. 1-7 and col. 3, line 3 to col. 5, line 59.

Yung '350 and Reichow et al. do not disclose at least one wheel being connected to the dirt cup.

Miyake et al. discloses a similar canister vacuum cleaner (120) having one of a plurality of wheels (186) connected to a dirt cup (123) in Fig. 3 and col. 6, lines 10-62.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the wheel connected to the dirt cup of Miyake into the canister vacuum cleaner of Yung '350 and Reichow et al. to provide direct support means for the dirt cup to allow the vacuum cleaner to be manufactured without the portion of the body supporting the dirt cup to reduce manufacturing costs, as suggested by Miyake et al. in Fig. 3.

***Double Patenting***

18. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

19. Claims 8 and 38 are rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 8 and 37 of prior U.S. Patent No. 6,712,868 B2. This is a double patenting rejection. Claims 8 and 38 of the instant application recite verbatim the limitations of claims 8 and 37, respectively, of U.S. Patent No. 6,712,868 B2.

20. Claims 9-12 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 9-12 of U.S. Patent No. 6,712,868 B2.

Claims 9-12 of the '868 patent are identical to instant claims 9-12 except for the canister vacuum cleaner comprising a plurality of wheels connected to the body and adapted to support said body moveably on an associated support surface wherein said filter is inclined relative to said support surface less than 20°.

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Claim 8 of the '868 patent recites the canister vacuum cleaner of claim 1 having such features in lines 6-8.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the wheels and inclined filter of claim 8 of the '868 patent into the canister vacuum cleaners of claims 9 and 11 of the '868 patent to provide means for transporting the vacuum cleaner and to provide the filter substantially horizontal to the support surface.

### ***Conclusion***

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Greene whose telephone number is (571) 272-1157. The examiner can normally be reached on Monday - Friday (9:00 AM to 5:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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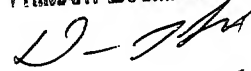
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason M. Greene  
Examiner  
Art Unit 1724



jmg  
July 14, 2004

DUANE SMITH  
PRIMARY EXAMINER

  
7-14-04